

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Anthony A. White,	:	Case No. 1:05CV2616
	:	
Plaintiff	:	Judge Christopher Boyko
	:	
v.	:	Magistrate Judge David S. Perelman
	:	
David Bobby, Warden,	:	MEMORANDUM OPINION
	:	AND ORDER
Defendant	:	

Petitioner in this action in habeas corpus, 28 U.S.C. §2254, has moved for an order that he be provided with a copy of his trial transcript “[P]ursuant to *Greene v. Brigano*, (1997) 123. F.3d 917. Failure to provide Defendant with access to these essential Trial Transcripts constitutes a denial of his 14th Amendment Equal Protection rights under the United States Constitution.”

Petitioner’s reliance on the decision of the Sixth Circuit Court of Appeals in Brigano is misplaced. In that case a constitutional violation was found in the refusal of the state courts to provide an indigent defendant with a trial transcript in order to prosecute a direct appeal from his conviction. From the face of the petition herein it appears that petitioner did obtain direct appellate review of his convictions, and Brigano does not create a right to have the trial transcripts provided for the purpose of collateral review in habeas corpus.

Petitioner’s motion is denied.

IT IS SO ORDERED.

s/DAVID S. PERELMAN
United States Magistrate Judge

DATE: June 1, 2006